Declaratory Resolution.

No. 469

For the condemnation of a rt.ofway 10 ' in width for sewerage purposes across, thro' and under portions of lots Nos. 12, 13, 32 & 33 Illsley Place ~~Add. & Lots Nos. 10 & 11 Bellevue~~ Terrace

Adopted May 10, 1923

Confirmed June 7, 1923

Assessment Approved June 18, 1923

Assessment Confirmed July 5, 1923

SINGMASTER PRINTING CO. FORT WAYNE, IND.

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DECLARATORY RESOLUTION NO. 469 - 1923

For the condemnation of a right of way ten (10) feet in width for sewerage purposes across, through and under portions of Lots Nos. 12, 13, 32 and 33 Illsley Place Addition (so called) and Lots Nos. 10 and 11 Bellevue Terrace.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary and advisable to condemn a right of way for sewerage purposes across, through and under portions of the following described lots: the east five (5) feet of Lots Nos. 12 and 33 and the west five (5) feet of lots Nos. 13 and 32 Illsley Place Addition (so called) and the east five (5) feet of Lot 10 and the West five (5) feet of Lot No. 11 Bellevue Terrace with the necessary curve at the line where the above mentioned additions join.

All as shown by a plan of such proposed condemnation of portions of lots for a right of way for sewerage purposes as above described now on file in the Office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the condemnation of the above described portions of lots for a right of way for sewerage purposes is described as all lots and lands not occupied by streets and alleys lying south of Kinsmoor Avenue, West of Fairfield Avenue, North of Pasadena Drive and Pasadena Drive produced West to Broadway and East of Broadway.

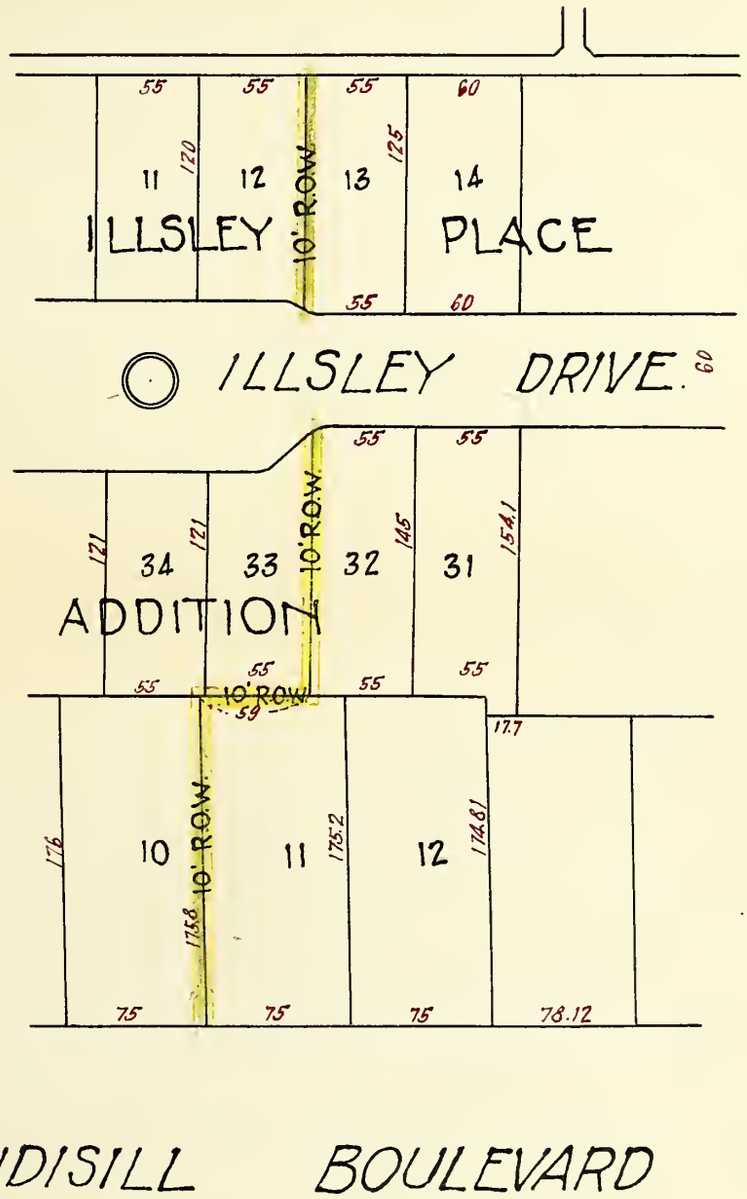
All of the above described streets and lots and parcels of land affected by the condemnation of the above described portions of lots for a right of way for sewerage purposes being situated in the South West fractional Quarter of Section 14, Township 30 North, Range 12 East and in Richardville Reserve in Township 30 North, Range 12 East and within the corporate limits of the City of Fort Wayne, Indiana.

Adopted this 10th day of May, 1923.

John B Kuehls
Otto Beuger
Jesse Brosius

BOARD OF PUBLIC WORKS

CONDEMNING OF RIGHT OF WAY 10 FT IN WIDTH FOR
SEWERAGE PURPOSES
ACROSS, THROUGH AND UNDER A PORTION OF
LOTS 12, 13, 32, 33 & 34, ILLSLEY PLACE ADD.
ALSO A PORTION OF
LOTS 10 AND 11, BELLEVUE TERRACE ADD.
DEC. RES. No 469-1923



NUNC PRO TUNC ENTRY RE
DECLARATORY RESOLUTION NO. 469-1923

In Minute Record No. 37 page 273 & 274 (May 2, 1957)

J. Luther Hallett, Secretary of the Board, called attention to an error in the record of the adoption of Declaratory Resolution No. 469 by the Board of Public Works of the City of Fort Wayne, Indiana, adopted May 10, 1923, as found in Minute Record No. 9, at Page 206C, of the records of this Board in that said Resolution was intended to condemn a right-of-way for sewerage purposes across, through and under portions of Lots numbered 10 and 11 in the Plat of Bellevue Terrace in the City of Fort Wayne, Allen County, Indiana, and said Resolution as adopted correctly described said real estate, but in entering the action of this Board in the record aforesaid the above mentioned lots were inadvertently described as Lots numbered 11 and 12 in said Plat of Bellevue Terrace.

NOW, THEREFORE, to correct the error in said record, upon motion duly made, seconded, and unanimously carried, said Resolution is now amended and adopted as of May 10, 1923, as follows:

DECLARATORY RESOLUTION NO. 469-1923

For the Condemnation of a right of way ten (10) feet in width for sewerage purposes across, through and under portions of Lots Nos. 12, 13, 32 and 33 Illsley Place Addition (so called) and Lots Nos. 10 and 11 in the Plat of Bellevue Terrace.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary and advisable to condemn a right of way for sewerage purposes across, through and under portions of the following described lots: the east five (5) feet of Lots Nos. 12 and 33 and the west five (5) feet of Lots Nos. 13 and 32 Illsley Place Addition

(so called) and the east five (5) feet of Lot 10 and the West five (5) feet of Lot No. 11 in the Plat of Bellevue Terrace, with the necessary curve at the line where the above mentioned additions join.

All as shown by a plan of such proposed condemnation of portions of lots for a right of way for sewerage purposes as above described now on file in the Office of the Department of Public Works of said City.

The property which may be injuriously or beneficially affected by the condemnation of the above described portions of lots for a right of way for sewerage purposes is described as all lots and lands not occupied by streets and alleys lying south of Kinsmoor Avenue, West of Fairfield Avenue, North of Pasadena Drive and Pasadena Drive produced West to Broadway and East of Broadway.

All of the above described streets and lots and parcels of land affected by the condemnation of the above described portions of lots for a right of way for sewerage purposes being situated in the South West fractional Quarter of Section 14, Township 30 North, Range 12 East and in Richardville Reserve in Township 30 North, Range 12 East and within the corporate limits of the City of Fort Wayne, Indiana.

HENRY HASLEY
OLIVER H. EGGERS

LAW OFFICES
HASLEY & EGGERS
503 STRAUSS BUILDING
FORT WAYNE 2, INDIANA
TELEPHONE E-4646

May 1, 1957

Board of Public Works
City Hall
Fort Wayne, Indiana.

Attention: Mr. J. Luther Hallett

Dear Sirs:

In accordance with our telephone conversation with Mr. Hallett this morning, we submit herewith in duplicate proposed Nunc Pro Tunc Entry correcting the error in the record of Declaratory Resolution 469-1923 as shown by Minute Record No. 9, at Page 206C, of the records in your office.

We shall appreciate your adoption of this correction, and we wish to thank your Secretary for his kind assistance.

Cordially yours,

HASLEY & EGGERS

By Henry Hasley

HH:MP
Enc.

APPROVED
BOARD OF PUBLIC WORKS
CHAIRMAN
DATE 5/2/57

May 7, 1957

Hasley & Eggers, Lawyers
503 Strauss Building
Fort Wayne, Indiana

Att: Mr. Henry Hasley

Gentlemen: Re: Dec. Res. No. 469 - 1923.

Enclosed is a copy of the Nunc Pro Tunc Entry, which is recorded in the minutes of May 2, 1957, Record Book No. 37, pages 273 and 274.

We thank you for your preparation of same.

Yours truly,

BOARD OF PUBLIC WORKS

JLH:c
encl.